

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
North County Communications Corp.,)	
Complainant,)	File No. EB-08-MD-005
)	
v.)	
)	
Leap Wireless International, Inc.,)	
Defendant.)	

ORDER OF DISMISSAL

Adopted: August 14, 2008**Released: August 14, 2008**

By the Chief, Market Disputes Resolution Division, Enforcement Bureau:

1. On July 25, 2008, North County Communications Corporation (“North County”) filed a formal complaint against Leap Wireless International, Inc. (“Leap”), pursuant to section 208 of the Communications Act of 1934, as amended (“Act”), 47 U.S.C. § 208, alleging violations of sections 201(a) and 201(b) of the Act, 47 U.S.C. §§ 201(a) and (b).
2. On August 12, 2008, North County filed a Motion to Dismiss Complaint Without Prejudice (“Motion to Dismiss”) so that it can refile the complaint against the appropriate defendants.¹ Leap does not object to North County’s Motion.
3. We are satisfied that dismissing the complaint without prejudice will serve the public interest by facilitating the resolution of the dispute among the appropriate parties.
4. Accordingly, IT IS ORDERED, pursuant to sections 4(i), 4(j), and 208 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 154(j), and 208, sections 1.721-1.736 of the Commission’s rules, 47 C.F.R. §§ 1.721-1.736, and the authority delegated in sections 0.111 and 0.311 of the Commission’s rules, 47 C.F.R. §§ 0.111 and 0.311, that the Motion to Dismiss IS GRANTED and the above-captioned complaint IS DISMISSED WITHOUT PREJUDICE.

FEDERAL COMMUNICATIONS COMMISSION

Alexander P. Starr
Chief, Market Disputes Resolution Division
Enforcement Bureau

¹ Motion to Dismiss Complaint Without Prejudice, File No. EB-08-MD-005 (filed Aug. 12, 2008)(“Motion to Dismiss”).